IN THE HIGH COURT OF JUDICATURE AT BILASPUR

MISC. APPEAL NO. 12 OF 2002.

MISCELLANEOUS APPEAL UNDER SECTION 173 OF THE MOTOR VEHICLE ACT.

Appellant
Claimant

Satyendra Kumar Mahara
Aged about 31 years
S/o Shri Peetairam, R/o Village and Post - Bharni, Teh.-Takhatpur, Distt.- Bilaspur.

VERSUS

Respondents
Non-applicants

1. Pushpendra Singh
S/o Shri Rajesh Kumar Singh
Owner of Vehicle Jeep No.- MP - 26 - C - 5475, Vidhya Upnagar, Bilaspur, infront of Kamal General Stores Vidya Upnagar, Bilaspur (CG)

2. Govind Dev Sharma
Aged about 30 years S/o Shri Gulabdhar Sharma, R/o Nutan Chowk, Sarkanda, Bilaspur(CG)
Driver of Jeep No. MP-26-C-5475.

3. The New India Insurance Company Limited, C/o Competent officer, Rajendra Nagar Chowk Branch Office - Bilaspur (CG)

P.R. No. 39
Presented by Shri S. Agrawal
dated 3.1.02

Being aggrieved against the award passed by 7th Motor Accident Claim Tribunal, Bilaspur in Claim case no. 3 of 2000 dated 14.9.2001 in case of Satyendra Kumar Versus Pushpendra Singh and Others.

Compensation Claim = Rs. 14,86,000/-

Compensation awarded = Rs. 1,75,080/-

Appeal valued Rs. 13,10,920/-

That the Appellant named above begs to prefer this appeal on following facts and grounds :-

contd...2

(35)

IN THE HIGH COURT OF CHHATTISGARH; BILASPUR

(LOK ADALAT)

MISCELLANEOUS APEAL NO. 12 OF 2002

Appellant: Satyendra Kumar Mahara

Versus

Respondents: Pushpendra Singh and others.

(Arising out of Claim Case No.3/2000)

4-11-2006

Shri Gautam Khetrapal, counsel for the appellant.

None for respondents No. 1 & 2.

Shri K.L. Daswani, Divisional Manager, New India Insurance Company Limited with Shri Prashant Jayaswal, Sr. Advocate with Shri Saurabh Sharma, counsel for respondent No. 3.

In terms of compromise, award is passed as below:-

1) In addition to compensation already awarded by the Tribunal, respondent No.3 shall pay Rs.20,000/- (Rupees Twenty Thousand Only) to the appellant.
2) For disbursement and deposit in FDR, the direction and ratio adopted by the Tribunal, if any, shall follow.
3) The amount, if any, kept in deposit with Bank shall be payable under the orders of Tribunal in accordance with law.
4) Appellant shall be entitled to receive interest on the amount so deposited, if any.
5) In view of the above, appeal against respondents No. 1 & 2 stands dismissed.
6) Out of the above amount, Rs.200/- (Rupees Two Hundred Only) shall be paid to counsel for the appellant directly by the Insurance Company towards counsel fee.
7) Copy of the award shall be given to the parties free of cost.

Sd/-
(Justice Vijay Kumar Shrivastava)
High Court of Chhattisgarh
Bilaspur

Sd/-
Member – Lok Adalat
High Court of Chhattisgarh
Bilaspur

Gowri